

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

HERMAN BARNES, JR.,

Petitioner,

v.

PEGGY SUE JUERGENS, *et al.*,

Respondent.

Case No. C06-5060 RBL

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed petitioner's petition for writ of habeas corpus, petitioner's answer to the court's order to show cause, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's writ of habeas corpus (Dkt. # 1) is **DENIED** and **DISMISSED WITH PREJUDICE**; and
- (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants and to the Hon. Karen L. Strombom.

DATED this 5<sup>th</sup> day of September, 2006.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE